

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 14, 2003

**D041757        In re Andrew R. et al., Juveniles**

The judgments terminating Mother's parental rights to Andrew and terminating Mother's and Jaime's parental rights to Joshua are reversed and the court is directed to comply with the notice provisions of the ICWA. If after proper notice and inquiry a tribe does not intervene, the judgments shall be reinstated. If a tribe intervenes, the court is ordered to conduct a new section 366.26 hearing in accordance with the ICWA. (See *In re Jonathan D.* (2001) 92 Cal.App.4th 105, 111-112.) Benke, Acting P.J.;  
We Concur: Huffman, J., Aaron, J.

**D041799        In re Noble on Habeas Corpus**

The petition is denied without prejudice.

**D042741        People v. Cordoba**

The judgment is modified to give Cordoba presentence custody credit of 199 days actual credit and 98 days conduct credit for a total of 297 days. The trial court is directed to amend the abstract of judgment and forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.  
Huffman, Acting P.J., We Concur: Nares, J., O'Rourke, J.

**D042820        Francisco M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

By failing to file a timely petition for writ relief, the notice of intent filed by Francisco M. is deemed to be abandoned. The case is dismissed.

**D042736        Monica C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

By failing to file a timely petition for writ relief, the notice of intent filed by Monica C. is deemed to be abandoned. The case is dismissed.

**D040733        People v. Noble**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

**D041179        In re Alyssa F., a Juvenile**

It is ordered that the opinion filed September 19, 2003, is modified. There is no change in judgment. The petitions for rehearing are denied.

**D042948        Racey v. O'Grady**

The appellant having failed to timely pay the filing fee, the appeal is dismissed.

**D041358        Collins v. Feldman et al.**

**D042959        Collins v. Feldman et al.**

The motion to consolidate new appeal, D042959, with the appeals previously consolidated under D041358 is granted.

**D042533        In re Pierce on Habeas Corpus**

The petition is denied as moot.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 14, 2003 (Continued)

**D042039        In re Ryan B., a Juvenile.**

The orders are affirmed. Huffman, Acting P.J.; We Concur: Nares, J., Haller, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 15, 2003

**D042941 Copley Press, Inc. v. Superior Court of San Diego County/City of San Diego**

The petition is denied.

**D043051 Latrice T. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The petition is denied.

**D042919 In re O'Keefe on Habeas Corpus**

The petition is denied.

**D042969 Maisel v. Superior Court of San Diego County/Boatright et al.**

The petition is denied.

**D042908 Baumer v. Superior Court of San Diego County/McGruer et al.**

The petition is denied.

**D042968 In re Rovira on Habeas Corpus**

The petition is denied.

**D041234 People v. Belcher**

The judgment is affirmed. Benke, J.; We Concur: McConnell, P.J., Haller, J.

**D042170 In re Carl J., a Juvenile**

Judgment affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., Aaron, J.

**D041502 Messina v. United Home Improvement Centers**

The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Aaron, J.

**D041611 People v. Leatherby**

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

**D040529 Settle v. Destination Hotels & Resorts, Inc., et al.**

The judgments are reversed. McConnell, P.J.; We Concur: Benke, J., O'Rourke, J.

**D041566 People v. Jacobo**

Judgment affirmed. Aaron, J.; We Concur: McConnell, P.J., Haller, J.

**D040244 People v. Perkins**

The judgment is affirmed. Nares, J.; We Concur: Huffman, Acting P.J., Aaron, J.

**D043028 Valdez v. Superior Court of San Diego County/Caicedo**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 15, 2003(continued)

**D043062      Larry P. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

Father Larry P. has filed a Notice of Intent to File a Writ Petition, stating that on October 6, 2003 the juvenile court made an order setting a Welfare & Institutions Code section 366.26 hearing. In that on October 6, 2003 the juvenile court terminated Larry P.'s parental rights, this case is dismissed.

**D043045      Biddulph v. Superior Court of San Diego County/Curcio et al.**

The petition is denied.

**D041901      People v. Corona**

Upon filing an abandonment of appeal, the appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 16, 2003

**D041715        People v. Mootry**

Judgment affirmed. McConnell, P.J.; We Concur: Benke, J., Huffman, J.

**D039261        Anderson et al. v. Zimmermann**

Judgment affirmed. Haller, J.; We Concur: McConnell, P.J., O'Rourke, J.

**D041141        In re Stacy S., a Juvenile**

The restitution order is affirmed. Benke, J.; We Concur: McConnell, P.J., O'Rourke, J.

**D040955        Brown Field Aviation Park, LLC, v. California Transportation Ventures, Inc.**

The appeal is dismissed.

**D041290        Friedman v. Pogue**

The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
October 17, 2003

**D040820        People v. Rivers**

The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, PJ., Huffman, J.

**D042502        Hamilton et al. v. Aimrite Systems International, Inc., et al.**

Plaintiffs' appeal from the April 30, 2003 order specified in their notice of appeal is dismissed on the ground the order is an interlocutory, nonappealable order subject to review on appeal from the final judgment.

**D040906        Jensen et al. v. County of San Diego, et al.**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.